

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE – SW/S Beaver Dam Road,
204' NW of the c/l Beaver Court * DEPUTY ZONING COMMISSIONER
(10606 Beaver Dam Road)
8th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District * Case No. 99-334-XA
Frederick L. Matusky, et ux, Owners;
Visionelle, Inc., Contract Lessee *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of Petitions for Special Exception and Variance filed by the owners of the subject property, Frederick L. and Patricia A. Matusky, and the Contract Lessee, Visionelle, Inc., by Elizabeth A. Smith, President, through their attorney, Thomas Bowie McCarty, Esquire. The Petitioners request a special exception to permit a service garage use on the subject property, pursuant to Section 253.2.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), and variance relief from Sections 238.1, 238.2 and 255.1 of the B.C.Z.R. to permit a front yard setback of 13 feet in lieu of the required 25 feet from a street right-of-way, and a side yard setback of 0 feet in lieu of the required 30 feet, for an existing building. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Frederick L. Matusky, property owner, Lynn R. Hogg, Vice President of Visionelle, Inc., Contract Lessee, Scott Rouk, Registered Landscape Architect with Morris and Ritchie Associates, Inc., who prepared the site plan of this property, and Thomas B. McCarty, Esquire. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 0.48 acres, more or less, zoned M.L.-I.M., and is improved with a brick and block building

ORDER RECEIVED FOR FILING

Date 5/16/99

By [Signature]

containing office and warehouse space. The Petitioners have contracted to lease approximately 7,280 sq.ft. of the subject building to Visionelle, Inc. who wishes to establish a car detailing business at the subject location to serve clients in the Hunt Valley business park. Testimony indicated that the detailing services offered by Visionelle, Inc. include washing, waxing, vacuuming, and related cleaning services associated with such use. The Petitioners testified that there will be no body and fender work, or customized automotive services associated with the proposed use, and that no automotive service work will be performed on the premises. Testimony indicated that the space to be utilized by Visionelle, Inc. was previously occupied by a furniture wholesaler. As shown on the site plan, that area of the building to be leased by Visionelle, Inc. has been highlighted in blue. The remainder of the building will continue to be used by the property owner as office/warehouse space.

In addition to the special exception relief sought, the Petitioners request variance relief for the existing building. No new structures are proposed in conjunction with the proposed use; however, the requested variances are necessary to legitimize existing conditions on the property.

It is clear that the B.C.Z.R. permits the use proposed in an M.L.-I.M. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by

Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below. However, the special exception granted herein shall be limited to an automotive detailing operation, only. In the event the Petitioners choose to expand their detailing business to include uses more directly associated with a service garage activity, then a new special hearing must be requested to determine the appropriateness of such expanded use on the subject property.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

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Date

By

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the subject property and that strict compliance with the zoning regulations will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special exception and variance requests should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 16th day of April, 1999 that the Petition for Special Exception to permit a service garage use on the subject property, pursuant to Section 253.2.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 238.1, 238.2 and 255.1 of the B.C.Z.R. to permit a front yard setback of 13 feet in lieu of the required 25 feet from a street right-of-way, and a side yard setback of 0 feet in lieu of the required 30 feet, for an existing building, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

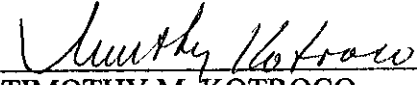
ORDER RECEIVED FOR FILING

Date

By

- 2) The special exception granted herein shall be limited to an automotive detailing operation, only. There shall be no body and fender work, or customizing of vehicles on the subject property, nor any mechanical services performed on the premises. In the event the Petitioners choose to expand their detailing business to include such uses more directly associated with a service garage activity, then a new special hearing must be requested to determine the appropriateness of such expanded use on the subject property.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 5/11/09
By [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

April 16, 1999

Thomas B. McCarty, Esquire
401 Frederick Road
Catonsville, Maryland 21228

RE: PETITIONS FOR SPECIAL EXCEPTION & VARIANCE
SW/S Beaver Dam Road, 204' NW of the c/l of Beaver Court
(10606 Beaver Dam Road)
8th Election District – 3rd Councilmanic District
Frederick L. Matusky, et ux, Owners; Visionelle, Inc., Contract Lessee - Petitioners
Case No. 99-334-XA

Dear Mr. McCarty:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Frederick L. Matusky
10604 Beaver Dam Road, Timonium, Md. 21093
Ms. Elizabeth A. Smith, President, Visionelle, Inc.
2228 Spring Lake Drive, Timonium, Md. 21093
People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 10606 BEAVER DAM ROAD

which is presently zoned ML-IM

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

SERVICE GARAGE (AUTOMOTIVE, WASHING, WAXING, DETAILING OF MOTOR VEHICLES AND RELATED USES AFFILIATED WITH A SERVICE GARAGE) PURSUANT TO 253.2.B.3

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

VISIONELLE, INC.

ELIZABETH A. SMITH, PRESIDENT

Name - Type or Print

Elizabeth A. Smith, President

Signature

2228 SPRING LAKE DR. 410-561-3478

Address

Telephone No.

TIMONIUM MD

21093

City

State

Zip Code

Attorney For

LESSEE, VISIONELLE, INC.

Thomas Bowdye McCarty, Atty

Name - Type or Print

Thomas Bowdye McCarty

Signature

MCCARTY E. MCCARTY

Company

401 FREDERICK ROAD

Address

Telephone No.

Catoonsville, Maryland 21228

City

State

Zip Code

Legal Owner(s):

FREDERICK L. MATUSKY

Name - Type or Print

Fredrick L. Matusky

Signature

PATRICIA A. MATUSKY

Name - Type or Print

Patricia A. Matusky

Signature

10604 Beaver Dam Road

410.527.0060

Address

Telephone No.

TIMONIUM MARYLAND

21093

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 HR

UNAVAILABLE FOR HEARING

Reviewed By JL

Date 2/26/99

ORDER RECEIVED FOR FILING

Date 2/15/98
By [Signature]

Case No. 99-334-XA



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 10606 BEAVER DAM ROAD

which is presently zoned ML-IM

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

238.1, 238.2 & 255.1 FROM THE B.R. ZONE AREA REGULATIONS TO PERMIT A

13' FRONTYARD SETBACK IN LIEU OF 25' FROM R/W AND A

0' SIDEYARD SETBACK IN LIEU OF 30' SIDEYARD

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

REDUCTION OF THE FRONT YARD SETBACK TO 13' IN LIEU OF THE REQUIRED 25' DUE TO HARDSHIP CAUSED BY CONSTRUCTION AND ROAD WIDENING OF BEAVER DAM ROAD UNDER SHA CONTRACT NO. B-802-501-472 & B-802-502-472 & RIGHT-OF-WAY PROJECT NO. 802-301-472. REDUCTION OF SIDE YARD SETBACK TO 0' IN LIEU OF THE REQUIRED 30' FROM THE EXISTING LOT#10604 DUE TO THE TWO ADDRESSES BEING CONSTRUCTED TOGETHER, SEPERATED ONLY BY A COMMON PARTY WALL.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

VISIONELLE, INC.

ELIZABETH SMITH, PRESIDENT

Name - Type or Print

Elizabeth Smith, President

Signature

2228 SPRING LAKE DR. 410-561-3478

Address

Telephone No.

TIMONIUM MD

21093

City

State

Zip Code

Attorney For

LESSEE VISIONELLE, INC.

Thomas Bowtie McCarty, AHC

Name - Type or Print

Thomas Bowtie McCarty

Signature

McCarty & McCarty

Company

401 FREDERICK ROAD

Address

Telephone No.

BALTIMORE, Maryland

21228

City

State

Zip Code

Legal Owner(s):

FREDERICK L. MATUSKY

Name - Type or Print

Fredrick L. Matusky

Signature

PATRICIA A. MATUSKY

Name - Type or Print

Patricia A. Matusky

Signature

10604 Beaver Dam Road 410.527.0000

Address

Telephone No.

TIMONIUM, Maryland

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 HR

UNAVAILABLE FOR HEARING

Reviewed By JK Date 2/26/99

Case No. 99-334-XA

Date 9/15/98

ORDER RECEIVED FOR FILING

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



334

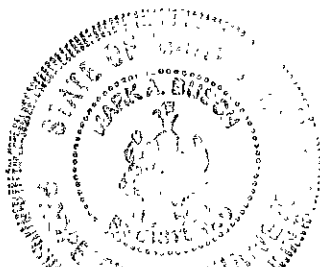
ZONING DESCRIPTION

BEGINNING at a point, on the southwest side of Beaver Dam Road (variable width), a distant 204 feet more or less measured northwesterly from the intersection of the centerline of Beaver Dam Road and the centerline of Beaver Court (70 feet wide) thence following ten courses and distances:

1. 13.58 feet along the arc of a curve to the right, having a radius of 2832.79 feet and being subtended by a chord of South $36^{\circ}00'04''$ East, 13.58 feet
2. South $04^{\circ}09'01''$ East, 5.81 feet,
3. South $34^{\circ}49'30''$ East, 75 feet, more or less
4. South $54^{\circ}10'30''$ West, 77 feet, more or less
5. North $34^{\circ}49'30''$ West, 20 feet, more or less
6. South $54^{\circ}10'30''$ West, 20 feet, more or less
7. South $34^{\circ}49'30''$ East, 20 feet, more or less
8. South $54^{\circ}10'30''$ West, 84 feet, more or less
9. North $84^{\circ}49'07''$ West, 136 feet, more or less
10. North $53^{\circ}28'51''$ East, 286.72 feet

CONTAINING 0.48 acres of land, more or less.


BEING known as 10606 Beaver Dam Road and located in the Eighth Election District.



☐ 139 N. MAIN STREET, SUITE 200
BEL AIR, MARYLAND 21014
(410) 879-1690 (410) 836-7560
FAX (410) 879-1820

☒ 110 WEST ROAD, SUITE 245
TOWSON, MARYLAND 21204
(410) 821-1690
FAX (410) 821-1748

☐ 9090 JUNCTION DRIVE, SUITE 9
ANNAPOLIS JUNCTION, MARYLAND 20701
(410) 792-9792 (301) 776-1690
FAX (410) 792-7395


Mark A. Busch
Registered Property Line Surveyor #508

99-334-XA

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #98-334-XA
10806 Beaver Dam Road
SW/S Beaver Dam Road, 204
NW of Beaver Court
8th Election District
3rd Councilmanic District
Legal Owner(s): Patricia A. &
Frederick L. Matuskay
Lessee: Visionella, Inc.

Special Exception: for a service garage. **Variance:** to permit a 13-foot front yard setback in lieu of 25 feet from the right-of-way and a zero foot side yard setback in lieu of 30 feet.

Hearing: Wednesday, April 7, 1999 at 2:00 p.m. In Room 407, County Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4388.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

3/308 Mar. 18 C298156

CERTIFICATE OF PUBLICATION

TOWSON, MD., 3/18/, 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/18/, 1999.

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

#334
JLL.

No. 062306

DATE 2/26/99 ACCOUNT R0016150
AMOUNT \$ 550.00

RECEIVED FROM: E. SMITH

FOR: (C) X A FILING

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
2/26/1999 2/26/1999 08:55:31
PAID TO: CASHIER PAYS PER ORDER
5 MISCELLANEOUS CASH RECEIPT
Receipt # 062306
CR NO. 062306

\$50.00 CHECK: PMS
(Baltimore County, Maryland)

99-334-XA

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE Case No.: 99-334-XA

Petitioner/Developer: MATUSKY, ETAL
c/o SCOTT ROUK (MRA)

Date of Hearing/Closing: 4/7/99

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at # 10606 BEAVER DAM RD.

The sign(s) were posted on

3/22/99

(Month, Day, Year)

Sincerely,

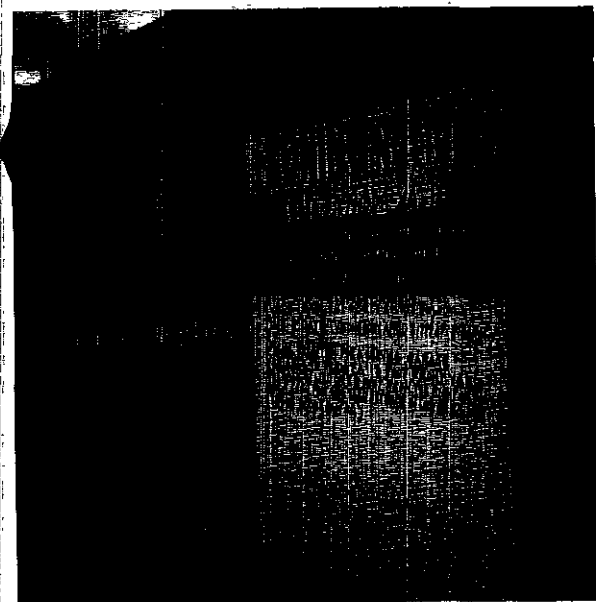
Patrick M O'Keefe 3/23/99
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571
(Telephone Number)



99-334-XA
#10606 BEAVER DAM RD

P- 3/22/99 MATUSKY H- 4/7/99

P- 3/22/99 MATUSKY H- 4/7/99



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

March 5, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-334-XA
10606 Beaver Dam Road
SW/S Beaver Dam Road, 204' NW of Beaver Court
8th Election District – 3rd Councilmanic District
Legal Owner: Patricia A. & Frederick L. Matusky
Lessee: Visionelle, Inc.

Special Exception for a service garage. Variance to permit a 13-foot front yard setback in lieu of 25 feet from the right-of-way and a zero foot side yard setback in lieu of 30 feet.

HEARING: Wednesday, April 7, 1999 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon", with a stylized flourish below it.

Arnold Jablon
Director

c: Thomas McCarty, Esquire
Patricia & Frederick Matusky
Visionelle, Inc.

- NOTES: (1) **THE PETITIONER/ MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MARCH 23, 1999.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



TO: PATUXENT PUBLISHING COMPANY
March 18, 1999 Issue – Jeffersonian

Please forward billing to:
Visionelle, Inc.
2228 Spring Lake Drive
Timonium, MD 21093

410-561-3478

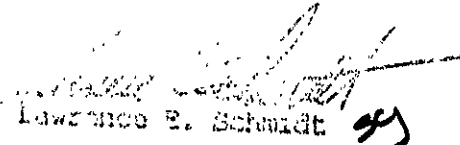
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10606 Beaver Dam Road
SW/S Beaver Dam Road, 204' NW of Beaver Court
8th Election District – 3rd Councilmanic District
Legal Owner: Patricia A. & Frederick L. Matusky
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Special Exception for a service garage. Variance to permit a 13-foot front yard setback in lieu of 25 feet from the right-of-way and a zero foot side yard setback in lieu of 30 feet.

HEARING: Wednesday, April 7, 1999 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 334

Petitioner: FREDERICK L. MATUSKY

Address or Location: 10604 BEAVERDAM RD. HUNTING
MD 21030

PLEASE FORWARD ADVERTISING BILL TO:

Name: VISIONELLE, INC.

Address: 2228 SPRING LAKE DR.

TIMONIUM MD 21093

Telephone Number: 410-561-3478

Revised 2/20/98 - SCJ

99-334-XA

Request for Zoning Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 99-334-XA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: A SPECIAL EXCEPTION FOR A SERVICE GARAGE IN AN ML-1M
ZONE AND A VARIANCE TO PERMIT A FRONT YARD SETBACK
OF 13 FT. AND A 0 FT. SIDE YARD SETBACK IN LIEU OF THE
REQUIRED 25 FT. AND 30 FT. RESPECTIVELY

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

April 1, 1999

Thomas Bowie McCarty, Esq.
McCarty & McCarty
401 Frederick Road
Catonsville, MD 21228

RE: Case No.: 99-334-XA
Petitioner: Visionelle, Inc.
Location: 10606 Beaver Dam Road

Dear Mr. McCarty:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on February 26, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." followed by a stylized flourish.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us



B A L T I M O R E C O U N T Y, M A R Y L A N D

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: March 19, 1999

FROM: Robert W. Bowling, Supervisor
 Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for March 15, 1999
 Item No. 334

 The Bureau of Development Plans Review has reviewed the subject zoning item. The dead-load surcharge on the reinforced concrete retaining wall must be checked and verified by a professional engineer before the front yard setback variance is granted.

RWB:HJO:jrb

cc: File

ZONE0315.334

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development Management

DATE: 3/4/99

FROM: R. Bruce Seeley, Project Manager *RBS/BJ*
Development Coordination
DEPRM

SUBJECT: Zoning Advisory Committee

Distribution Meeting Date: 3/8/99

The Department of Environmental Protection and Resource Management has
no comments for the following Zoning Advisory Committee Items:

Item #'s: 332
333
334
335



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

March 11, 1999

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: FREDERICK G. MATUSKY AND
PATRICIA A. MATUSKY - 334

Location: DISTRIBUTION MEETING OF MARCH 8, 1999

Item No.: 334

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1994 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



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Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 3.9.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 334

JLL

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Michael M. Lenhart, Acting Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Sim
4/17

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: March 18, 1999

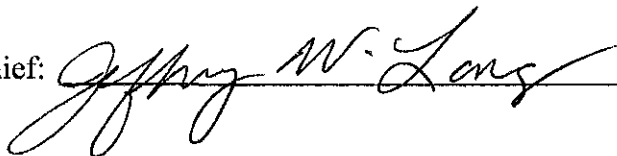
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):
Item No (s): 334

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:



AFK/JL

RE: PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE
10606 Beaver Dam Road, SW/S Beaver Dam Rd,
204' NW of Beaver Ct, 8th Election District, 3rd
Councilmanic

Legal Owners: Frederick and Patricia Matusky
Contract Purchaser: Visionelle, inc.
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case Number: 99-334-XA

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th March day of ~~February~~, 1999, a copy of the foregoing Entry of Appearance was mailed to Thomas Bowie McCarty, Esq., McCarty & McCarty, 401 Frederick Road, Baltimore, MD 21228, attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

May 17, 1999

Mr. Lynn Hogg
Vice President
Visionelle, Inc.
10606 Beaver Dam Road
Cockeysville, Maryland 21030

RE: PETITIONS FOR SPECIAL EXCEPTION & VARIANCE
SW/S Beaver Dam Road, 204' NW of the c/l of Beaver Court
(10606 Beaver Dam Road)
8th Election District -- 3rd Councilmanic District
Frederick L. Matusky, et ux, Owners; Visionelle, Inc., Contract Lessee - Petitioners
Case No. 99-334-XA

Dear Mr. Hogg:

In response to your telephone inquiry this date concerning whether an appeal had been filed in the above-captioned matter, please be advised that pursuant to our discussions with the Department of Permits and Development Management (DPDM) office, no appeal was filed in this case.

Should you require any additional information concerning this subject, please feel free to contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Frederick L. Matusky
10604 Beaver Dam Road, Timonium, Md. 21093
Ms. Elizabeth A. Smith, President, Visionelle, Inc.
2228 Spring Lake Drive, Timonium, Md. 21093
People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us

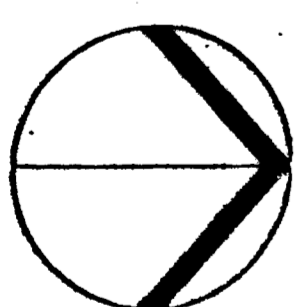


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[illegible]

NOTE:
PARKING SPACES SHOWN FOR SPECIAL
EXCEPTION AND VARIANCE IS FOR
ILLUSTRATIVE PURPOSES ONLY AND
IS NOT INTENDED TO RESTRICT PARKING
BETWEEN THE TWO USES ON LOT 2.

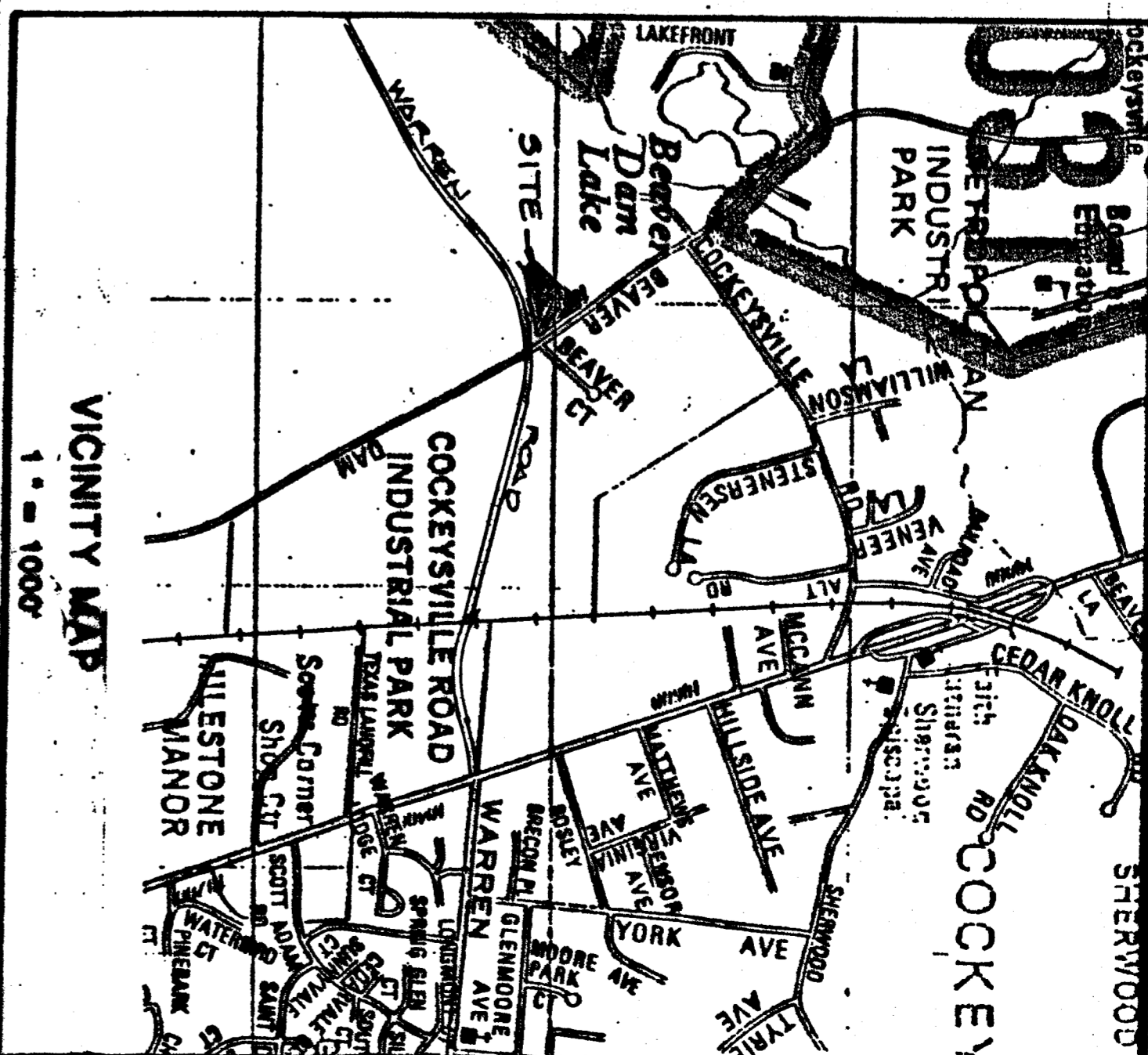
WARREN ROAD


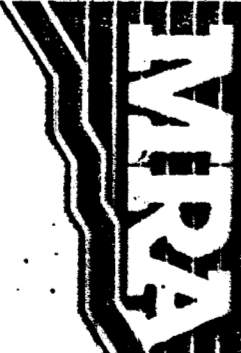


**AUTO
DETAILING**

McDonald's

POPOVED #15 (24.5%)
WALL MOUNTING SIGN,
TWO LOCATIONS IN
ACCORDANCE WITH
DC22.8-450.3 &
450.3 SEE FLUMINATED
LOCATION. (TUMINATED)



			
DATE	REVISIONS	MORRIS & MITCHELL ASSOCIATES, INC. ARCHITECTS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS 110 WEST MONROE SUITE 505 TOLEDO, OHIO 44004 TEL. (416) 881-1690 FAX. (416) 881-1760	
LOT # 10606 BEAVER DAM ROAD 17th ELECTION DISTRICT, WASHINGTON DISTRICT BALTIMORE COUNTY, MARYLAND		PLANTO ACCOMPANY SPECIAL EXCEPTION & VARIANCE REQUEST ELLIOTT PROPERTY	
JOB NO. 11144	SCALE 1" = 30'	DATE: 2-25-92 DRAWN BY: GCL/ABD DESIGN BY: G/DZ REVIEW BY: G/F SHEET: 1 of 1	

99-3
XA